



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
March 21, 2017

MEMBERS, OCONEE COUNTY COUNCIL

Mr. Paul Cain, District III
Mr. Wayne McCall, District II
Ms. Edda Cammick, Chairwoman, District I
Mr. Julian Davis III, Vice Chair, District IV
Mr. Glenn Hart, Chair Pro Tem, District V

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Scott Moulder, County Attorney David Root and Katie D. Smith, Clerk to Council present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeese.com/council]. In addition it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Ray Chandler / Anderson Independent, Stephen Bradley / Daily Journal & Dick Mangrum / WGOG.

Call to Order

Ms. Cammick called the meeting to order at 6:02 p.m.

Public Comment Session

Mr. Frankie Pearson addressed Council regarding Ordinance 2016-41 and his concerns with adding extra zoning classification. He noted that if farmers want more restrictions, they should voice their concerns and can be added to the agriculture district.

County Council Response to Public Comment

Mr. Cain noted that Pickens County Council voted to re-enter the Upstate Alliance and welcomed them back aboard.

Moment of Silence

Ms. Cammick asked for a moment of silence prior the Invocation by the County Chaplain.

Invocation by County Council Chaplain:

Mr. Root, County Council Chaplain, gave the invocation.

Pledge of Allegiance:

Mr. McCall led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes:

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0 to approve the March 7, 2017 Regular Meeting minutes as presented.

Administrator’s Report & Agenda Summary

Mr. Moulder briefly reviewed with Council and for the public’s benefit specifics related to the following matters before Council at this meeting:

- Proclamation 2017-02
- Public Hearing for Ordinance 2016-42
- Third and Final Reading of Ordinance: 2016-42
- Second Reading of Ordinance: 2016-41
- First Reading of Ordinance: 2017-07
- Discussion Regarding Action Items
- Discussion of Extension of Due Diligence Period for Former Courthouse Renovation
- Board/Commission Appointments
- Council Committee reports

Proclamation 2017-02

PROCLAMATION 2017-02 HONORING MR. C.W. “BOZO” RICHARDS

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0 to approve **Proclamation 2017-02** on first and final reading.

Ms. Amy Marshall, daughter of Mr. C. W. “Bozo” Richards, came forward to accept **Proclamation 2017-02** from Mr. McCall.

Public Hearings for the Following Ordinances

Ordinance 2016-42 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT GOGGLES, PROVIDING FOR A PAYMENT OF A FEE IN LIEU OF TAXES; THE PLACEMENT OF PROJECT GOGGLES INTO A MULTICOUNTY INDUSTRIAL AND BUSINESS PARK; AND OTHER MATTERS RELATED THERETO.”

Mr. Richard Blackwell, Oconee Economic Development Director, addressed Council to reveal the name of the company, which is Jantzen, a division of Perry Ellis International. Jantzen is one of the oldest manufacturers in Oconee County, having been in the community since the 1950’s. This was a competitive Economic Development project with locations in Florida. He noted this is one they were proud to win because they could have chosen to close the facility. There were two major layoffs in the 1990’s and the 2000’s. After that time, Jantzen went into a warehouse distribution model. They are now moving forward and increasing their investment in Oconee County by putting in place an E-Commerce Fulfillment Center. This will yield at least \$4 million in new capital investment and 16 new jobs over the next 5 years. It will also retain the 60 jobs currently on-site. The county provided a FILOT with a SSRC and designation of a mulit-county industrial park. They will add on a 40,000 square foot warehouse, add new equipment, and conduct renovations to the current building and put into place a modern solar array.

Noting that no citizens signed up to address Council; Ms. Cammick opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

Ms. Cammick asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Ms. Cammick closed the Public Hearing regarding **Ordinance 2016-42**.

Third & Final Reading of the Following Ordinances

Ordinance 2016-42 [Captioned above]

Mr. Cain thanked Jantzen for keeping their jobs and future expansion in Oconee County and for choosing Oconee County over Florida.

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2016-42** on third and final reading.

Second Reading of the Following Ordinances

Ordinance 2016-41 “AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ADDITION OF AGRICULTURAL ZONING DISTRICTS, AMENDING AN EXISTING ZONING DISTRICT, AND AMENDING THE CONDITIONAL USES PROVISIONS CONTAINED IN CHAPTER 38; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Hart, to bring Ordinance 2016-41 to the floor for discussion. Mr. Davis corrected the motion, seconded by Mr. Hart, to approve Ordinance 2016-41 on second reading.

Lengthy discussion followed with various opinions and options offered to include but not limited to:

- Zoning / Re-Zoning;
- Send ordinance back to Planning Commission for further research;
- 1st Reading was approved in December 2016;
- Amend original motion to approve and send back to Planning Commission;
- Call the question and vote;
- Table the motion until next meeting, which is April 4, 2017.

Mr. Hart made a motion to Call the Question. Mr. Root noted that a motion to Call the Question is non-debatable and requires a super majority vote [at least 4 members to approve]. Ms. Cammick called for the vote. The motion to Call the Question failed 2 – 3 [Ms. Cammick, Mr. Davis, and Mr. Cain opposed].

Mr. Davis made a motion, seconded by Mr. Cain to table **Ordinance 2016-41** until the next meeting, April 4, 2017.

Mr. McCall asked Mr. Andrew Gramling, Planning Commission member, to address Council regarding **Ordinance 2016-41**. Mr. Gramling noted the changes seem unnecessarily restrictive to both farmers now and in the future. Additional discussion followed.

Mr. Davis thanked Mr. Gramling for serving on the Planning Commission. He noted that this is citizen initiated and when Planning started this, it is something you can be in and not be in. He also noted this is not something Council is putting on somebody; rather homeowners can choose to put on for protection for their land. He also noted that some people see the zoning as protection as others see a no-zoning as protection. Mr. Davis also noted that he doesn't see it from a standpoint of the county being in a farming community, as he is himself. He stated that it is hard to make a living farming and that he doesn't think it was an indication from Planning Commission of restricting on farming. He noted that was the reason for tabling the ordinance so they could conduct further research. Additional discussion followed.

Regarding the previous motion made by Mr. Davis, seconded by Mr. Cain, it was approved 5 – 0 to table **Ordinance 2016-41** until next meeting.

Mr. McCall asked how many times the Planning Commission would meet before the next County Council meeting. Mr. Tom Markovick indicated they would meet one more time before the next meeting. Mr. McCall then asked if they needed additional time. Mr. Davis asked if they could call another meeting if needed and Mr. Moulder noted they could and he could present the information at the next Council meeting as part of the discussion.

First Reading of the Following Ordinances

Ordinance 2017-07 “AN ORDINANCE GRANTING CERTAIN EASEMENT RIGHTS TO THE SCHOOL DISTRICT OF OCONEE COUNTY FOR OPERATION OF A SEWER SERVICE LINE AT THE FORMER OAKWAY INTERMEDIATE SCHOOL; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain to approve **Ordinance 2017-07**. Mr. McCall asked if it was the maintenance shop and Ms. Cammick noted it was the maintenance building on the sewer line. Mr. Moulder also noted that it was the maintenance shop next to the building and they maintain ownership and the sewer service for that particular building and ties into with the main sewer line for the school building. Additional discussion followed.

Regarding the previous motion made by Mr. Davis, seconded by Mr. Cain, approved 5 – 0 to approve **Ordinance 2017-07**.

Discussion Regarding Action Items

PRT Commission-Local ATAX Recommendations / Spring 2017 Cycle / \$88,500

Request approval of local ATAX recommendations per the attached spreadsheet.

Mr. Davis made a motion, seconded by Mr. Cain to approve PRT Commission Local ATAX recommendations. Mr. Cain noted the recommendations from the ATAX committee but was inquiring about the projects that were rejected. Mr. Moulder noted there were no projects that were

fully rejected and each one was awarded some value of dollar. Mr. Hart asked if they were “set in stone” and Mr. Moulder noted that once Council has voted and the items have been approved, they will be awarded to those particular organizations and projects. Mr. Hart asked if they could discuss how the money could go in a different direction. Mr. Moulder noted that County Council has the full governing fiscal authority over how the funds are appropriated and the PRT Commission is required by law for the ATAX funds to make recommendations to Council. Additional discussion followed.

Mr. Davis asked Mr. Phil Shirley, Parks, Recreation & Tourism director, to step forward and explain the Spring Cycle and Fall Cycle. Mr. Shirley noted that Oconee County receives local accommodation tax from all the accommodations vendors in the County whether it is a hotel, campground, vacation rental, etc. These funds are managed through the Finance Department and state law indicates it has to be spent on tourism infrastructure and tourism promotion projects moving forward. Mr. Shirley indicated they have two cycles a year out of the PRT Commission and grant up to \$60,000 to \$70,000 depending on the balance that is in the budget. There will be a list of grants come through twice a year and the deadline is February 15th and August 15th. Mr. Hart asked who drew the biggest crowds: Westminster Apple Festival or Seneca Fest. Mr. Shirley indicated that according to the applications, Seneca Fest drew bigger crowds. Mr. Hart asked about the dollar amount being different between the Apple Festival and Seneca Fest. Mr. Moulder noted that it was the amount requested by the organization. Additional discussion followed.

Regarding the previous motion made by Mr. Davis, seconded by Mr. Cain, the motion approved 5 – 0 to approve the PRT Commission-Local ATAX Recommendations for the Spring 2017 Cycle in the amount of \$88,500.

Discussion of Extension of Due Diligence Period for Former Courthouse Renovation

Mr. Davis made a motion, seconded by Mr. Cain, to bring Discussion of Extension of Due Diligence Period for Former Courthouse Renovation to the floor for discussion.

Mr. Davis asked Mr. Tom Markovick, managing partner of Historic Oconee Courthouse, LLC, to speak in regards to the former courthouse renovations. Mr. Markovick gave a brief update. He noted the architects and two (2) historical consultants have helped to prepare a Part 2 application. He noted the Part 1 application has been prepared and received approval. This takes the project and puts it on the historical register and has been since October 2016. Mr. Davis asked if there was a certain extension and Mr. Root noted he has been in contact with their attorney and that they are requesting an extension until August 31, 2017.

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the Extension of Due Diligence period for the former courthouse renovation until August 31, 2017.

Board & Commission Appointments

Board of Zoning Appeals

No nominations were made.

Building Codes Appeal Board

No nominations were made.

Old / Unfinished Business:

None at this meeting.

New Business:

Discussion of the sewer at Golden Corner Commerce Park and future sewer down I-85

Mr. Moulder gave a brief update on [1] complete the sewer service at Golden Corner and [2] future plans for extension of this service to other areas of the county.

- Pump station of the existing project is complete
- Final pay out of the retainage will be completed
- Future expansion
- Feasibility studies and cost estimates completed
- Preliminarily conceptual layout designs completed

Lengthy discussion followed to include but not limited to:

- Find funding for the project or Council can discuss any commitment of funds locally
- Bonding
- County wide benefit

Mr. Moulder noted that at this point they are looking at [1] prioritization of this project and will be discussing this at the Budget, Finance & Administration Committee meeting and establish priorities from the Strategic Planning session to be finalized and [2] begin discussing funding of those particular project. Mr. Moulder noted that Ms. Sharon DeRidder has continued to look for grants and trying to find some available funds. Additional discussion followed.

Mr. Hart asked who was going to take control of the sewer line. Mr. Moulder noted that the City of Seneca will maintain and operate on our behalf so we do not have to start up a sewer department. Mr. Hart then asked about giving it to the Oconee Sewer Authority. Mr. Moulder noted that the Oconee Sewer Authority is a treatment organization only and does not participate in collections and billing of individual customers. Mr. Moulder also noted that the Oconee Sewer Authority has three customers, [1] City of Seneca, [2] City of Westminster, and [3] City of Walhalla. The cities are the collection organizations and billing organizations of individual customers. Lengthy discussion followed with various opinions offered.

- Annex
- Ownership of Sewer Line
- Property prices

Mr. Hart asked Mr. Moulder to contact the Sewer Commission to ask if they would be interested in accepting the sewer line. Mr. Moulder noted he would make contact with the Oconee Sewer Authority and update Council.

Mr. Davis asked if Council would be interested in having a work session strictly on the Golden Corner Commerce Park and Economic Development and I-85. Ms. Cammick noted she was not opposed to a work session and would tack on a few other topics.

Council Committee Reports:

None at this meeting.

Executive Session:

Mr. McCall made a motion, seconded by Mr. Hart, approved 5 – 0 to enter into Executive Session for the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

[1] discussion regarding an Economic Development matter, Project Entry.

[2] receive legal advice and discuss contractual matter related to the Oconee Workforce Development Center.

[3] receive legal advice relating to potential claim(s) regarding Pioneer Rural Water District's water treatment facilities.

Council entered Executive Session at 7:23 p.m.

Council returned from Executive Session at 9:07 p.m. on a motion made by Mr. Davis, seconded by Mr. Hart, approved 5 – 0.

Ms. Cammick stated that no action was taken in Executive Session.

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, for the Administrator to proceed as discussed during Executive Session on Project Entry.

Adjourn

Mr. Davis made a motion, approved unanimously 5 – 0, to adjourn at 9:09 p.m.

Respectfully Submitted:

Katie D. Smith
Clerk to Council